

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

VIVIAN AND LEONARD JUDELSON, as)	
Trustees of the VIVIAN JUDELSON)	DOCKET NUMBER: 07-7972-PKC
REVOCABLE TRUST DATED 10/9/95, and)	
VIVIAN S. JUDELSON CONTRIBUTORY)	
IRA, Individually and On Behalf of All Others)	HON. P. KEVIN CASTEL
Similarly Situated,)	
)	
Plaintiffs,)	
vs.)	
)	
TARRAGON CORPORATION, WILLIAM S.)	
FRIEDMAN, ROBERT P. ROTHENBERG)	
and ERIN D. PICKENS,)	
)	
)	
Defendants.)	

(Caption continued on the following pages)

**MOTION OF PASCUAL RODRIGUEZ TO CONSOLIDATE RELATED ACTIONS; TO
BE APPOINTED LEAD PLAINTIFFS; AND TO APPROVE PROPOSED LEAD
PLAINTIFFS' CHOICE OF COUNSEL**

HENRY NELSON, Individually and On Behalf
of All Others Similarly Situated,

Plaintiff,

vs.

TARRAGON CORPORATION, WILLIAM S.
FRIEDMAN, ROBERT P. ROTHENBERG,
and ERIN DAVIS PICKENS,

Defendants.

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) DOCKET NUMBER: 07-8438-PKC
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) HON. P. KEVIN CASTEL
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PAUL BERGER, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

vs.

TARRAGON CORPORATION, WILLIAM S.
FRIEDMAN, ROBERT P. ROTHENBERG
and ERIN D. PICKENS,

Defendants.

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) DOCKET NUMBER: 07-8689-PKC
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) HON. P. KEVIN CASTEL
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Pascual Rodriguez (or “Mr. Rodriguez”) respectfully moves this Court for an order: (1) consolidating all related actions; (2) appointing Mr. Rodriguez as Lead Plaintiff in this action pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”); and (3) approving his selection of the law firm of Kahn Gauthier Swick, LLC, as Lead Counsel for the Class.

Mr. Rodriguez makes this Motion on the belief that he is the most “adequate plaintiff” as defined in the PSLRA because:

1. he has the largest financial interest in the relief sought by the Class and has incurred substantial losses in the amount of \$14,755.00 as a result of his purchases of Tarragon Corporation stock during the Class Period, and
2. he satisfies the typicality and adequacy requirements of Fed. R. Civ. P. Rule 23.

Mr. Rodriguez further requests that the Court approve the selection of his counsel, Kahn Gauthier Swick, LLC, (“KGS”), as Lead Counsel for the Class. This firm has actively investigated the allegations raised against Defendants. KGS is a nationally-recognized law firm with significant class action, fraud, and complex litigation experience, and is a firm with the resources to effectively and properly pursue this action.

WHEREFORE, for all of the reasons set forth herein and in the Memorandum of Law and the Miller Declaration submitted herewith, the Mr. Rodriguez respectfully requests that this Court: (1) consolidate all related actions with the instant case; (2) appoint Mr. Rodriguez as Lead Plaintiff pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, and Section 27(a) of the Securities Act of 1933, as amended by the PSLRA; (3) approve Mr. Rodriguez’s selection of Lead Counsel for the Class; and (4) grant such other and further relief as the Court may deem just and proper.

Dated: November 13, 2007

Respectfully submitted,

KAHN GAUTHIER SWICK, LLC

/s/ Kim E. Miller

Michael A. Swick (MS-9970)

Kim E. Miller (KM-6996)

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*Counsel for Pascual Rodriguez and
Proposed Lead Counsel for the Class*

CERTIFICATE OF SERVICE

I hereby certify that this Motion was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on November 13, 2007.

/s/ Kim E. Miller
Kim E. Miller